

DENTAL QUALITY ASSURANCE COMMISSION

Thursday June 3, 2004

Commission Business Minutes

Department of Health

Point Plaza East, Tumwater, WA

(Subject to Commission Approval)

Members Present:

Robin Reinke, DDS, Chair
Marshall Titus, DDS
Bernard Nelson, Public Member
Pramod Sinha, DDS
Russell Timms, DDS
Mark Koday, DDS

Ernest Barrett, DDS
John Davis, DDS, JD, Vice-Chair
Laurie Fan, DDS
Abdul Alkezweeny, Ph.D, Public Member
Theresa Cheng, DDS

Members Absent:

Mark Paxton, DDS
Lorin Peterson, DDS

George McIntyre, DDS

Staff Present:

Lisa Anderson, Health Services Consultant 3
Lisa Gast, Health Services Consultant 1
Kim Dinsmore, Administrative Assistant
Nancy Smith, Program Representative
Peggy Owen, Program Representative

Lisa Pannone, Staff Attorney
Elyette Weinstein, Staff Attorney
Gail Zimmerman, Executive Director
Kirby Putscher, Deputy Executive Director
Mark Brevard, Assistant Attorney General

Others Present:

Dee Ann Isackson, DDS
Douglas Jackson, DMD, MS, PhD
Bryan Edgar, DDS, Washington State Dental Association
Rhonda Savage, DDS, Washington State Dental Association
Robert Shaw, DMD, Washington State Dental Association
David Hemion, Washington State Dental Association
Melissa Johnson, Washington State Dental Hygienist's Association

In accordance with the Open Public Meetings Act, notices were mailed to individuals requesting notification of the Commission meetings.

OPEN SESSION

1. CALL TO ORDER- Robin Reinke, DDS, Chair

The June 3, 2004 business meeting of the Dental Quality Assurance Commission was called to order by Robin Reinke, DDS Chair, at 7:00 p.m. at the Department of Health, Tumwater, Washington.

1.1 Approval of Agenda

The Agenda was approved with the following additions:

- 1.2 Business minutes/panel minutes for April 15-17, 2004
- 3.11 Delegation of signature authority-update signatures
- 12.2 E-mail article entitled, “*SmileSavers’ legacy stained*”, Sunday May 16, 2004, by Ken Olsen, Columbian staff writer.

1.2 Approval of the April 15-17, 2004 meeting minutes

The meeting minutes were approved as presented.

7:00-8:30 p.m.

2. PRESENTATION-CONSCIOUS SEDATION WITH SINGLE ORAL AGENTS-Dee Ann Isackson, DDS and Douglass Jackson DMD,MS, PhD

At the March 2004 DQAC meeting, the members of the Commission requested staff to contact Dr. Isackson and Dr. Jackson and ask if they would be willing to provide a presentation to the Commission regarding conscious sedation.

Dr.’s Isackson and Jackson provided “An academic review of the WACS that regulate conscious sedation and general anesthesia for dentistry” which includes WACS 246-817-701 through 790. Dr.’s Isackson and Jackson discussed each WAC in detail and offered suggestions for updating and clarity. Some of the topics of discussion regarding conscious sedation were: single dose vs multiple doses of the same drug; single dose of an oral sedative plus an oral dose of another CNS (central nervous system) depressant used for non-sedating reasons, monitoring requirements and frequency, monitoring and recording of vital signs, and emergency drug guidelines. The members of the Commission were provided with data regarding a study that was conducted entitled, “Enteral Titration of Triazolam: An Appraisal of Conscious Sedation Safety”. Topics of discussion regarding General anesthesia including deep sedation included: emergency equipment, emergency drug specificity, and continuing education. The presentation also touched

briefly on the following topics: single use intravenous fluid administration sets, single patient use of needles and syringes, providing anesthesia services in clinics and/or offices that are not regulated (i.e. regular inspections), level of responsibility when a non-dentist/non-physician anesthesia provider delivers care, and office based CRNA scope of practice in medicine and dentistry.

The members of the Commission thanked Dr. Isackson and Dr. Jackson for their informative presentation.

3. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL- *Lisa Anderson, Health Services Consultant, Gail Zimmerman, Executive Director, Mark Brevard, Assistant Attorney General*

3.1 Dental Continuing Education Audits-discuss delegation to staff

The Commission was asked to delegate signature authority regarding Credentialing, Disciplinary, and Rulemaking, to Kirby Putscher, Acting Executive Director, and Lisa Anderson, Health Services Consultant. This delegation includes the initial review and approval of routine continuing education audits. A motion was made and seconded, to approve this request. The delegation form was signed by Robin Reinke, DDS, Chair.

3.2 Commission appointments-update

Ms. Anderson advised the Commission that appointments have been made to fill the two open positions. Fred Quarnstrom, DDS and Padmaraj Angolkar, DDS have been appointed by the Governor to serve on the Dental Commission.

3.3 Budget Report-Interim Operating Report for March 2004 w/memo from Kathy Anderson re: legal/investigative costs

This was provided to the members of the Commission for their information and review.

3.4 Annual Boards, Commissions, Committees Conference-October 29, 2004

Ms. Anderson informed the members of the Commission that the Department of Health would be holding the annual Boards, Commissions, and Committees Conference on October 29, 2004 in Kent, Washington. Ms. Anderson also stated that this date conflicts with the Commission's October meeting schedule but if anyone would like to attend, they should notify staff as soon as possible.

3.5 Academy of General Dentistry (AGD)/PACE Information

This information was not available for the Commission to review at this time. Once staff receives the information, copies will be made and forwarded to the members of the Commission for review. This topic will be put on a future agenda for discussion.

3.6 Commission Pay policy (B06.01)

This was provided to the members of the Commission for their information and review. This policy was approved by Bonnie King, Director, Health Professions Quality Assurance, on April 20, 2004. The policy details the maximum compensation per day, pro-rata, activities that will be compensated, activities that require pre-approval, activities that are not approved for compensation, and pro-tem compensation.

3.7 Discussion re: Panel availability/hearing schedules-handout

In May 2004, Lisa Anderson and Lisa Gast met with Patti Latsch, Senior Health Law Judge, Pam Mena, Health Services Consultant, Adjudicative Clerk's Office, and Michelle Singer, Hearings Scheduler, Adjudicative Clerk's Office to discuss hearings scheduling issues regarding cases coming before the Dental Commission. Some of the issues discussed were: volume of cases and how many are scheduled at the same time, continuance requests, delegation of non-standard of care cases to a Health Law Judge, and Assistant Attorney General support services. Judge Latsch requested staff to ask the Dental Commission panels to add one additional hearing day per month (outside of normal DQAC meeting dates) to address hearing backlog. The panels will be providing staff with additional dates that they are available and staff will pass the information on to the Adjudicative Clerk's Office.

3.8 Discussion re: continuing education requirements in Agreed Orders and Informal Dispositions

Elyette Weinstein, Staff Attorney advised the Commission that the legal staff is seeing more cases of respondent's having difficulty finding continuing education hours in some of the courses that have been ordered through disciplinary actions. Ms. Anderson advised the members of the Commission that if they are requesting classes that may be difficult to find, they should be prepared with some suggestions of where the courses may be found.

3.9 Set Dental Commission meeting dates for 2005

The following meeting dates were proposed for 2005: January 20-22, March 3-5, April 14-16, June 2-4, July 14-16, August 25-27, September 29, 30 and October 1, November 3-5, and December 8-10.

3.10 Staffing/organizational changes

Ms. Anderson introduced Peggy Owen who has been hired to fill an Office Assistant Senior position with the Commission. Ms. Owen will be working with Nancy Smith, Office Assistant Senior, in the processing of dental license applications, travel, and intake and tracking of complaints.

Gail Zimmerman, Executive Director, Health Professions Section 3, announced that this would be her last Dental Commission meeting. After 30 years in State service, and the last 9 years with the Dental Commission as well as 15 other health professions, Ms. Zimmerman will be retiring at the end of June. Ms. Zimmerman also announced that Kirby Putscher, Deputy Executive Director will be stepping into the role of "Acting Executive Director" until a replacement can be hired.

The Commission took this opportunity to recognize Ms. Zimmerman with a plaque and flowers and thanked her for her leadership and commitment. The Commission wishes her well in her future/retirement.

4. RULES

4.1 Update –Status report of current dental rules needing to be repealed or amended.

Ms. Anderson notified the Commission that not much had changed since the last update. The CR101's have been filed for the following three rules: Supervision for the placement of antimicrobials, amend the licensing requirements for credentialing applicants, and amendment of the continuing education rules.

5. STAFF/COMMISSION MEMBER REPORTS

There were no reports at this time

6. WESTERN REGIONAL EXAM BOARD (WREB)-

6.1 WREB Update- John Davis, DDS

- 6.2 Letter dated May 7, 2004 from John W. Barch, MHA, Executive Director, Western Conference of Dental Examiners and Dental School Deans re: Annual meeting in San Diego, CA, July 16-18, 2004-*Select attendees***

Lorin Peterson, DDS and John Davis, DDS will attend for the Commission.

7. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)

- 7.1 CRDTS Update- *Robin Reinke, DDS***

- 7.2 The CRDTS Report, Volume 5, Issue 1, Spring 2004**

This was provided to the members of the Commission for their information and review.

8. AMERICAN DENTAL ASSOCIATION (ADA)/ AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)/ AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), DENTAL ASSISTING NATIONAL BOARD (DANB)

- 8.1 AADE-Memo dated May 6, 2004 re: 121st Annual meeting being held in Orlando, FL, September 29-30, 2004 along with registration forms and information- *Select attendees for both AADE and AADA***

The members of the Commission selected George McIntyre, DDS and Marshall Titus, DDS to attend the AADE meeting. Lisa Gast, Health Services Consultant will attend both meetings.

- 8.2 AADE-Memo dated April 20, 2004 re: Board Attorney's Roundtable being held in Orlando, FL, September 29-30, 2004-*Select attendees***

The members of the Commission approved Elyette Weinstein, Staff Attorney to attend the Board Attorney's Roundtable.

- 8.3 ADA- Memo dated May 6, 2004-Call for comments regarding Resolution 90-definition of the terms dental school and dental college.**

This was provided to the members of the Commission for their information and review.

- 8.4 AADE-Memo dated May 12, 2004 re: National Practitioner Data Bank Executive Committee Meeting, May 12, 2004**

This was provided to the members of the Commission for their information and review.

8.5 ADA-Letter dated April 27, 2004 to Lisa Anderson re: request for Commission member participation in the National Board Examinations taking place at the University of Washington July 12-13, 2004

This was provided to the members of the Commission for their information and review. The Commission has decided not to send a participant to this exam.

8.6 AADE-Newsletter-The Bulletin-Spring 2004

This was provided to the members of the Commission for their information and review.

8.7 DANB-Newsletter-Measuring Dental Assisting Excellence

This was provided to the members of the Commission for their information and review.

8.8 AADE-Memo dated May 17, 2004 re: Call for comments regarding draft “Role of Regulatory Boards in Improving Consumer Access to Dental Services”

This was provided to the members of the Commission for their information and review.

9. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS

Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.

10. CORRESPONDENCE

10.1 Letter dated April 27, 2004 from Lisa Anderson to Dan Laizure, DDS, thanking him for his attendance at the April 15, 2004 Dental Commission meeting and reiterating the Commission’s approval of his proposal to operate the Conservatory for Applied Restorative Excellence (CARE).

10.2 Letter dated April 27, 2004 from Lisa Anderson to Kris Holgerson, Vice President of Human Resources, Willamette Dental, re: the posting of provider licenses as referenced in Washington Administrative Code (WAC) 246-817-301.

10.3 Letter dated April 23, 2004 to Lisa Anderson from Gregory Skipper, MD, FASM, Medical Director, Alabama Physician Health Program, RE: New course on sexual boundary violations.

- 10.4 Letter dated April 16, 2004 to Lisa Anderson from Nancy Arbee, DDS, FACP, President, The American College of Prosthodontists re: ADA adoption of the new official definition for the specialty of Prosthodontics.**

The above listed items of correspondence were provided to the members of the Commission for their information and review. All of the items were informational only and none were discussed or required response.

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

11. CONSENT AGENDA

12. NEWSLETTERS/FYI ARTICLES

- 12.1 Department of Health Newsletter-THE SENTINEL-Volume 7, Number 4, April 2004**
- 12.2 E-mail article entitled, More doctors disciplined as states bolster medical boards, by Damon Adams, AMNews staff, April 26, 2004**
- 12.3 Professional Licensing Report, March/April 2004, Volume 15, Numbers 9/10**
- 12.4 Two newspaper articles from the March 1, 2004 edition of the Olympian: Team works to ban dental fillings with mercury, by Ann Clifton, co-chair, Mercury Awareness Team of Washington and Risk estimates for fetal mercury exposure revised, from the Washington Post.**
- 12.5 Idaho State Board of Dentistry newsletter, Spring 2004**
- 12.6 Nebraska Board of Dentistry newsletter, March 2004**
- 12.7 Pennsylvania State Board of Dentistry Newsletter, Spring 2004**
- 12.8 The Dental Forum-North Carolina State Board of Dental Examiners, First Quarter, 2004**
- 12.9 NPDB-HIPDB Data Bank News, April 2004**
- 12.10 Newspaper article entitled, Dental Service closing amid investigations**
- 12.11 Article entitled, Dentistry's Role in Responding to Bioterrorism and Other Catastrophic Events, from the National Institute of Dental and Craniofacial Research.**

The above listed newsletters and articles were approved as submitted and there were no requests for actions on any of the items.

CLOSED SESSION

13. EXECUTIVE SESSION-

The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a)-(k), and only during a regular or special meeting.

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

The Commission did not convene an executive session at this meeting.

14. FUTURE COMMISSION BUSINESS

15. BUSINESS MEETING ADJOURNMENT

The business meeting adjourned at 11:00 p.m.

Respectfully Submitted By:

Lisa Gast, Health Services Consultant

Commission Approval By:

Robin Reinke, DDS, Commission Chair